



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

April 21, 2010

David Smith, Manager
Environmental Remediation
BNSF Railway Company
139 North Last Chance Gulch
Helena, MT 59601-4125

Re: Libby Asbestos Superfund Site
BNSF Libby Railyard
Construction Completion Report

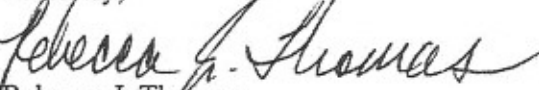
Dear Mr. Smith:

The purpose of this letter is to accept as final the *Libby Railyard Response Action Revised Construction Completion Report*, dated March 2005 and the *Libby Railyard Response Action Completion Report Addendum*, dated January 2006.

As you know, in some areas of the railyard, waste was left in place at depth upon completion of the response action. To ensure protectiveness of the remedy into the future, institutional controls must be implemented to manage the waste left in place. The Environmental Protection Agency (EPA) will proceed to close the Administrative Order on Consent (CERCLA Docket No. 08-2003-0004) once institutional controls have been placed on the property.

EPA appreciates the work that BNSF has done on the railyard and we look forward to working with you on the remainder of the rail corridor within the Libby Asbestos Superfund Site.

Sincerely,


Rebecca J. Thomas
Project Manager

cc: Dick Sloan, MDEQ
Victor Ketellapper, EPR-SR
Andy Lensink, 8ENF-L

